

35.G1008 CIP/C/REI



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Reissue Application: ) Previous  
of U.S. Patent No. 5,831,944 : Examiner: A. Neyzari  
)  
NAOKI NISHIMURA : Previous  
) Group Art Unit: 2752  
Appln No.: Not Yet Assigned :  
)  
Filed: Herewith :  
)  
For: MAGNETO-OPTICAL :  
RECORDING MEDIUM AND :  
METHOD FOR REPRODUCING :  
INFORMATION FROM A :  
MAGNETO-OPTICAL :  
RECORDING MEDIUM HAVING :  
THREE LAYERS :  
)  
Issued: November 3, 1998 :

Commissioner for Patents  
Washington, D.C. 20231

**ATTENTION: APPLICATION DIVISION  
SPECIAL HANDLING UNIT**

REISSUE DECLARATION AND POWER OF ATTORNEY

Sir:

As the below named inventor, I hereby declare and say  
that:

1. I believe that I am the original, first and sole  
inventor of the subject matter which is claimed in the subject  
reissue application and for which a reissue patent is sought on

the invention entitled MAGNETO-OPTICAL RECORDING MEDIUM AND METHOD FOR REPRODUCING INFORMATION FROM A MAGNETO-OPTICAL RECORDING MEDIUM HAVING THREE LAYERS.

2. I have reviewed and understand the contents of the reissue application, including the claims.

3. I acknowledge my duty to disclose to the U.S. Patent and Trademark Office all information known to be material to patentability as defined in 37 C.F.R. § 1.56.

4. I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or §365(b), of the foreign applications for patent identified below and have also identified below any foreign application for patent or inventor's certificate or PCT international application having a filing date before that of the application on which priority is claimed:

<u>Country</u>	<u>Application No.</u>	<u>Filing Date</u>	<u>Priority Claimed</u>
Japan	5-038138	February 26, 1993	Yes
Japan	6-022653	February 21, 1994	Yes
Japan	4-230265	August 28, 1992	Yes

5. I believe that the original above-identified U.S. Patent is partly inoperative by reason of my having claimed less than I had the right to claim. Specifically, issued claims 1 and 2 are narrower than the invention I disclosed in the patent by

requiring the presence of a third magnetic layer. Additionally, claims to certain specific embodiments where magnetic coupling is by magneto-static coupling, disclosed in my application, are not included in the issued patent. Accordingly, new Claims 3-5 should be included in the patent in order to provide me with claims of both broader scope and more specific scope, consistent with my invention and my disclosure. During the prosecution of U.S. Patent Application No. 08/858,206, which matured into the above-identified U.S. Patent, and its parent No. 08/389,579, and its parent (by continuation-in-part) No. 08/111,974, claims of the scope of these new claims were not presented.

6. The errors to be remedied by this reissue application arose without deceptive intent due to the failure to appreciate the full scope of the invention disclosed in the originally filed application.

7. I hereby appoint the practitioners associated with the firm and Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and direct that all correspondence be addressed to the address associated with that Customer Number:

**FITZPATRICK, CELLA, HARDER & SCINTO**

**Customer Number: 05514.**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole Inventor NAOKI NISHIMURA

Inventor's signature Naoki Nishimura

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